



State of New Jersey

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MEDICAL ASSISTANCE AND HEALTH SERVICES

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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

JENNIFER VELEZ
Commissioner

VALERIE HARR
Director

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
DIVISION OF MEDICAL ASSISTANCE
AND HEALTH SERVICES

X.B.,	:	
	:	
PETITIONER,	:	ADMINISTRATIVE ACTION
	:	
v.	:	FINAL AGENCY DECISION
	:	
UNITED HEALTHCARE,	:	OAL DKT. NO. HMA 12551-14
	:	
RESPONDENT.	:	

As Director of the Division of Medical Assistance and Health Services, I have reviewed the record in this matter, consisting of the Initial Decision, the documents in evidence and the entire contents of the OAL case file. No exceptions to the Initial Decision were filed. Procedurally, the time period for the Agency Head to render a Final Agency Decision is March 16, 2015 in accordance with N.J.S.A. 52:14B-10 which requires an Agency Head to adopt, reject, or modify the Initial Decision within 45 days of the agency's receipt. The Initial Decision in this case was received on January 29, 2015.

Based upon my review of the record, I hereby ADOPT the findings, conclusions and recommended decision of the Administrative Law Judge in their entirety and incorporate the same herein by reference. I agree with the

Administrative Law Judge that the Medicaid regulations specifically state that exercise equipment is a non-covered item under the Medicaid program. See N.J.A.C. 10:59-1.4(b)(4). Thus, while the Buddy Bike may be beneficial to Petitioner, it is not the type of durable medical equipment that the Medicaid program pays for under its regulations. N.J.A.C. 10:59-1.2

However, I note that Petitioner's family is working with the Tri-County Care Management Organization. They may discuss with their Care Manager the submission of a Family Support Services application through the New Jersey Children's System of Care regarding the requested BuddyBike and/or the types of assistive technology available to Petitioner through its program. Information about Family Support Services can be found on PerformCare's website or by contacting PerformCare at (877) 652-7624¹.

THEREFORE, it is on this 3rd day of March 2015,

ORDERED:

That the Initial Decision affirming United Healthcare's denial of a Buddy Bike is hereby ADOPTED as the Final Decision in this matter.



Valerie J. Harr, Director
Division of Medical Assistance
and Health Services

¹ PerformCare is the statewide system administrator for the Children's System of Care.